

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
September 12, 2007

PRESENT: Mayor Reed, Vice Mayor Cortese, and Councilmembers Constant and Chirco

ABSENT:

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Deputy City Manager Deanna Santana, Agenda Manager Nadine Nader, and Mayor Council Agenda Manager Alicia Bosco.

A. City Council

1. Review September 18, 2007 Final Agenda

Action: The Committee approved the following additions to the September 18, 2007:

- Approve recommendations regarding Residential Traffic Calming Community Hearings.
- Item 6.2 (Approval of an agreement with Out City Forest for tree related services) has been deferred to September 25, 2007.
- Presentation of a proclamation declaring September 21, 2007 as “National POW/MIA Recognition Day” in the City of San Jose. (Mayor/Cortese)
- Presentation of a proclamation declaring September 18, 2007 as United Air Force Day in the City of San Jose. (Mayor/Cortese)
- Presentation of a commendation to Outlook Video. (Oliverio)
- Item 8.1 (Acceptance of the City Attorney’s Response to June 21, 2007 direction from the City Council on legal issues pertaining to additional authority for the Independent Police Auditor) and Item 8.2 (Acceptance of staff’s response to the Civil Grand Jury’s report entitled “Police Misconduct May be Underreported”) are to be heard no earlier than 3:30 p.m.

2. Review of September 25, 2007 Draft Agenda

Action: The Committee approved the following additions to the September 25, 2007 Council Agenda:

- Presentation of a commendation to Fire Stations 21 and 24. (Cortese)
- Request for an excused absence for Vice Mayor Cortese. (Cortese)

- Swearing in ceremony for District 1 Youth Commissioner Kavya Shankar, District 5 Youth Commissioner Kim Nguyen, District 7 Youth Commissioner Amanda Aldama and District 9 Youth Commissioner Katie Hawn. (Clerk)
- Adoption of resolution related to the City's Inclusionary Housing Policy. (Manager/RDA)

B. Redevelopment Agency

1. Review September 18, 2007 Final Agenda

None-Meeting Canceled.

2. Review September 25, 2007 Draft Agenda

Action: The Committee approved the September 25, 2007 Redevelopment Agency Draft Agenda.

3. Assign "Time Certain" for convening Redevelopment Agency Agenda

C. Legislative Update

1. State

Roxann Miller, City Lobbyist, and Betsy Shotwell, Director of Intergovernmental Relations, provided a summary of the 2007 legislative priorities and answered questions from the Committee regarding the funding distribution plan for Proposition 1B and 1C (Transportation infrastructure bonds).

Documents Filed: City of San Jose Office of Intergovernmental Relations and Sacramento Legislative Office dated September 12, 2007 2007-2008 State Legislative Session 2007 Priority Bills.

2. Federal

None.

D. Meeting Schedules

None.

E. The Public Record

Document Filed: Memorandum from Lee Price, City Clerk dated September 6, 2007 transmitting the Public Record for the week of August 31 -September 6, 2007.

Councilmember Constant referencing E-mail communication from Brad Imamura, reported that the Federated Retirement Board analyzed and discussed the location for holding its meetings and agreed to continue conducting their regular meetings at the Retirement Department on North First Street.

Action: The Committee approved to note and file.

F. Appointments to Boards, Commissions and Committees

None.

G. Rules Committee Reviews, Recommendations and Approvals

1. Report of Public Hearing Regarding Smoking Ban in Public Parks.

Documents Filed: (1) Memorandum from Albert Balagso, Director of Parks, Recreation and Neighborhood Services dated August 24, 2007 accept report on the Public Hearing conducted by the San Jose Parks and Recreation Commission regarding a proposed smoking ban in public parks. The public hearing was held on August 1, 2007 in response to the referral from the Rules and Open Government Committee.

Deputy Director Julie Mark presented the staff report and responded to the Vice Mayor's questions regarding the definition of "park". City Attorney Rick Doyle indicated staff would amend the draft ordinance to more clearly define what public spaces will be affected.

Action: The Committee approved to place the staff report and ordinance on the October 16, 2007 Council agenda.

2. Monthly Update on Public/Private Partnership Program.

Documents Filed: Memorandum from Ed Shikada, Deputy City Manager and Mark Danaj, Director of Human Resources dated September 6, 2007 recommend (1) acceptance of the report on the status of the public/private partnership case studies; and (2) agendaize for Council consideration.

Deputy City Manager Ed Shikada presented the staff report. City Attorney Rick Doyle responded to brief questions.

Action: The Committee approved to move this item forward to the Council on October 2, 2007.

H. Review of additions to Council Committee Agendas

- 1. Community and Economic Development Committee**
- 2. Neighborhood Services and Education Committee**
 - a. Amend Worlpan to include updates from the San Jose Education Foundation Homework Center Program.**

Documents Filed: Memorandum from Councilmember Chirco dated August 28, 2007 amend workplan to reflect "San Jose Education Foundation Update on Homework Center Program" on October 11, 2007.

Action: The Committee approved to amend the workplan on October 11, 2007.

- 3. Transportation and Environment Committee**
- 4. Request for Transportation and Environment Committee Workplan**

None.

I. Open Government Initiatives

- 1. Reed Reforms**
- 2. Sunshine Reform Task Force**
- 3. Significant Public Records Act Requests**
- 4. Council Policy Manual Update**

None.

J. Open Forum

None.

K. Adjournment

The meeting was adjourned at 3:15 p.m.

Chuck Reed, Mayor
Rules and Open Government Committee